

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

NORMA CAMPOS,

Plaintiff,

v.

**WELTMAN, WEINBERG & REIS CO.,
L.P.A.; and
DOE 1-5**

Defendants.

Civil Action No. 5:17-cv-156

COMPLAINT
(Jury Trial Demanded)

1. Plaintiff alleges violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (“FDCPA”).

JURISDICTION AND VENUE

2. This Court exercises jurisdiction under 15 U.S.C. 1692k and 28 U.S.C. 1331. This District is of proper venue as Plaintiff is a resident within this District and Defendants engaged in the activities herein alleged against Plaintiff while Plaintiff so resided.

PARTIES

3. Plaintiff, Norma Campos (hereinafter “Plaintiff” or “Ms. Campos”), is a natural person residing in San Antonio, Texas. Defendant, WELTMAN, WEINBERG & REIS CO., L.P.A. (hereinafter “Defendant”) is believed to be an Ohio limited partnership maintaining its principle place of business at 965 Keynote Circle in Brooklyn Heights, OH. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as DOE 1-5, and therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to allege the true names and capacities once ascertained. Plaintiff believes and thereon alleges that the fictitiously named defendants are responsible in some manner for the occurrences herein alleged, and that such defendants are responsible to Plaintiff for damages and/or monies owed.

5. WELTMAN, WEINBERG & REIS CO., L.P.A., and DOE 1-5 shall hereafter be jointly referred to as “Defendants.”

6. Defendants regularly operate as third-party debt collectors and are “debt collectors” as defined by 15 U.S.C. 1692a.

FACTUAL ALLEGATIONS

7. Defendants engaged in debt collection efforts in an attempt to collect a consumer debt allegedly owed by Ms. Campos.

8. Defendants began placing calls to Ms. Campos in April 2016.

9. Between April 21 and May 13, 2016, Defendants placed various calls to Ms. Campos in which Defendants failed to disclose the communications were from Weltman, Weinburg, & Reis, a debt collector, and being made in an attempt to collect a debt.

10. On April 25, 2016, Defendants left a voice mail message for Ms. Campos, the content of which is as follows: “This is a call for Ms. Norma Campos. Norma, please return the call to Ben Raymond at 8007192654 and my extension is 22628. Thank you.”

11. Increasingly harassed and concerned with Defendants’ messages in which Defendants failed to disclose the nature or purpose of the call, Ms. Campos retained counsel with Centennial Law Offices.

12. As a direct result of the collection activity herein alleged, Ms. Campos has incurred legal fees of \$1,855.00.

CAUSES OF ACTION

COUNT I

13. Plaintiff re-alleges paragraphs 1 through 12, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants, and each of them, violated 15 U.S.C. 1692d(6) with regards to Plaintiff as follows: In their communications with Plaintiff, Defendants failed to provide meaningful disclosure of their identity by failing to that the communications were from Weltman, Weinburg, & Reis, a debt collector, and that such communications were being made in an attempt to collect a debt.

COUNT II

14. Plaintiff re-alleges paragraphs 1 through 12, inclusive, and by this reference incorporate the same as though fully set forth herein. Plaintiff is informed and believes and herein alleges that Defendants, and each of them, violated 15 U.S.C. 1692e(11) with regards to

Plaintiff as follows: In their communications with Plaintiff, Defendants failed to disclose that the communications were from a debt collector.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays judgment against Defendants, and each of them, recovery as follows:

- 1.) For statutory damages in the amount of \$1,000 pursuant to 15 U.S.C. 1692k(2);
- 2.) For \$1,855.00 in legal fees incurred in responding to unlawful collection activity;
- 3.) For prejudgment interest in an amount to be proved at time of trial;
- 4.) For attorney's fees pursuant to 15 U.S.C. 1692(k);
- 5.) For the costs of this lawsuit; and
- 6.) For any other and further relief that the court considers proper.

JURY DEMAND

Plaintiff demands a jury trial.

Date: February 22, 2017

s/Robert Amador

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